

Attorney Docket No.
AUROR1190-1

Serial No. 10/767,401
Customer ID: 38396

8

REMARKS

Favorable reconsideration of this application is requested in view of the foregoing amendments and the following remarks. Claims 12, 19-25, 28-34, 42-44, 54-58, 60, 62 and 66 are pending in the application. Claims 1-11, 13-18, 26-27, 35-41, 45-53, 59, 61 and 63-65 are cancelled without prejudice or disclaimer.

Method claim 12 has been rewritten in independent form; and also to include the limitations of claims 15, 18, 27 and 41. In addition, claim 12 has been amended to specify a) counter-propagating the upstream signal and b) counter propagating the another upstream signal, support for which is found in paragraph [0016].

Apparatus claim 54 has been rewritten in independent form; and also to include the limitations of claim 63. In addition, claim 54 has been amended to specify a) that the downstream combiner directs an analog video optical carrier to a bandpass input-output port that is connected by an optical fiber to an analog broadcast receiver and b) that an optical output of an analog return transmitter is connected by a separate optical transmission fiber to an input-output port of the another downstream combiner, which passes the analog return optical signal to the common port and then onto the another optical signal conductor, support for which is found in paragraph [0023].

At page 2 of the Action, the Examiner objects to the drawings as not showing limitations recited in claims 64-65. Claims 64-65 are canceled without prejudice.

Accordingly, withdrawal of this objection is respectfully requested.

At pages 2-3 of the Action, the Examiner objects to claims 6, 62 and 66.

Claim 6 is canceled without prejudice or disclaimer. Claim 62 is amended as suggested by the examiner. Claim 66 is amended to depend from apparatus claim 54.

Accordingly, withdrawal of this objection is respectfully requested.

Attorney Docket No.
AUROR1190-1

Serial No. 10/767,401
Customer ID: 38396

9

Claims 1-5, 7, 9-10, 45-47 and 50-53 were rejected under 35 USC 102(b) as anticipated by Atlas (6,097,533). Claims 1-5, 7, 9-10, 45-47 and 50-53 are cancelled without prejudice or disclaimer.

Accordingly, withdrawal of this rejection is respectfully requested.

Claims 6, 12-16, 18-40, 42-43 and 54-66 were rejected under 35 USC 103 as obvious over Atlas in view of Takada (5,949,563). Claims 6, 13-16, 26-27, 35-40, 59, 61 and 63-65 are cancelled without prejudice or disclaimer.

The pending method claims as amended require propagating a downstream signal on an optical signal conductor from an upstream combiner to a downstream combiner, wherein the downstream signal includes an analog video broadcast signal; counter-propagating an upstream signal on the optical signal conductor from the downstream combiner to the upstream combiner, wherein the upstream signal includes a digital signal; propagating another downstream signal on another optical signal conductor from another upstream combiner to another downstream combiner, wherein the another downstream signal includes a digital signal; and counter-propagating another upstream signal on the another optical signal conductor from the another downstream combiner to the another upstream combiner, wherein the another upstream signal includes an analog return signal.

The pending apparatus claims as amended require an upstream combiner including an upstream bi-directional common port; an optical signal conductor coupled to the upstream bi-directional common port of the upstream combiner; a downstream combiner including a downstream bi-directional common port coupled to the optical signal conductor, wherein the downstream combiner directs an analog video optical carrier to a bandpass input-output port that is connected by an optical fiber to an analog broadcast receiver; another upstream combiner including another upstream bi-directional common port; another optical signal conductor coupled to the another upstream bi-directional common port of the another upstream combiner; another

Attorney Docket No.
AUROR1190-1

Serial No. 10/767,401
Customer ID: 38396

10

downstream combiner including another downstream bi-directional common port coupled to the another optical signal conductor, wherein an optical output of an analog return transmitter is connected by a separate optical transmission fiber to an input-output port of the another downstream combiner, which passes the analog return optical signal to the common port and then onto the another optical signal conductor; a drop device coupled to a downstream output port of the downstream combiner; a customer premises equipment digital receiver input coupled to the drop device, the customer premises equipment digital receiver input including an input optical connector; an add device coupled to a downstream input port of the another downstream combiner; and a customer premises equipment digital receiver output coupled to the add device, the customer premises equipment digital receiver output including an output optical connector, wherein the input optical connector and the output optical connector define physically different, non-interchangeable form factors.

Atlas and/or Takada simply do not disclose or suggest all of the limitations of the presently claimed invention. In particular, Atlas and/or Takada do not describe or teach a downstream analog signal together with an upstream digital signal on a first of two optical conductors together with an upstream analog return together with a downstream digital signal on a second of two optical conductors (i.e., the digital adds on the same first optical conductor as the analog broadcast together with the digital drops and on the same second optical conductor as the analog return). Referring to this application as originally filed, the claimed invention provides significant advantages. Specifically, referring to paragraph [0015] of this application, the presently claimed invention is particularly advantageous in embodiments of the invention where one or more signals have stringent signal-to-noise and interference requirements, and where one or more of the signals causing interference are apt to have similar waveforms, such as idle mode waveforms in a WDM Ethernet protocol context. Referring to paragraph [0016] of this application, counter-propagation of the optical carriers for downstream analog video and

Attorney Docket No.
AUROR1190-1

Serial No. 10/767,401
Customer ID: 38396

11

upstream digital data on a common first optical transmission fiber, together with counter-propagation of the optical carriers for upstream analog return and downstream digital data on a common second optical transmission fiber (distinct from the downstream analog video transport) minimizes the number of optical fibers required to provide both analog video and high-speed data services while simultaneously minimizing the level of cross-talk interference of the digital data on the analog video signals. Referring to paragraph [0038] of this application, counter-propagation of the optical carrier(s) transporting analog video and the optical carrier(s) transporting digital data maximizes the nonlinear optical walk-off factor and, therefore, minimizes the net magnitude of the nonlinear optical cross-talk between the optical carrier(s) transporting the digital signals and the optical carrier(s) transporting the analog video signals. The invention is particularly advantageous in contexts where one or more signals are apt to have similar waveforms, such as idle mode waveforms in a CWDM protocol.

Accordingly, withdrawal of this rejection is respectfully requested.

Claim 8 was rejected under 35 USC 103 as obvious over Atlas in view of Hsu (5,317,440). Claim 8 is canceled without prejudice or disclaimer.

Accordingly, withdrawal of this rejection is respectfully requested.

Claims 17, 41 and 44 were rejected under 35 USC 103 as obvious over Atlas. Claims 17 and 41 are cancelled without prejudice or disclaimer. Claim 44 depends from claim 12 as amended and is, therefore, patentable for the reasons explained above with regard to the method claims.

Accordingly, withdrawal of this rejection is respectfully requested.

Claims 11 and 48-49 were rejected under 35 USC 103 as obvious over Atlas in view of Takada (5,949,563). Claims 11 and 48-49 are cancelled without prejudice or disclaimer.

Accordingly, withdrawal of this rejection is respectfully requested.

Attorney Docket No.
AUROR1190-1

Serial No. 10/767,401
Customer ID: 38396

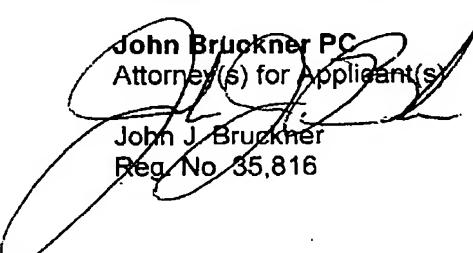
12

Other than as explicitly set forth above, this reply does not include acquiescence to statements in the Office Action. In view of the above, all the claims are considered patentable and allowance of all the claims is respectfully requested. The Examiner is invited to telephone the undersigned (at direct line 928-226-1073) for prompt action in the event any issues remain that prevent the allowance of any pending claims.

In accordance with 37 CFR 1.136(a) pertaining to patent application processing fees, Applicant requests an extension of time from May 1, 2007 to August 1, 2007 in which to respond to the Office Action dated February 1, 2007. A notification of extension of time is filed herewith.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3204 of John Bruckner PC.

Respectfully submitted,


John Bruckner PC
Attorney(s) for Applicant(s)
John J. Bruckner
Reg. No. 35,816

Dated: Aug 1, '07

P.O. Box 490
Flagstaff, AZ 86002-0490
Tel. (928) 226-1073
Fax. (928) 266-0474